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provided. One garage space and one driveway parking space are provided on the subject property. Ms. Nova stated that the property is subject to topographic variations where a second garage space would be constructed due to the property's location fronting Buck Gully. The existing development pattern with a single-car garage is similar to several other properties in the 700 block of Poppy Avenue and the proposed addition would not be detrimental to the surrounding community. Ms. Nova believed that the required findings could be made and recommended approval based on the facts within the draft resolution.

The Zoning Administrator opened the public hearing. Seeing that no one from the public wished to comment the public hearing was closed.

Zoning Administrator Wisneski approved the application, deleting Condition No. 3, relative to the square footage and number of bedrooms for the proposed addition on the basis that the project shall comply with the approved site plan.

Action: Approved

ITEM NO. 4 Orange Theory Fitness Minor Use Permit No. UP2012-022 (PA2012-130)
1040 Irvine Avenue CD 3

Makana Nova, Assistant Planner, provided a brief project description of the Minor Use Permit application for a health and fitness facility. Ms. Nova noted that amplified music would not be used as part of the business operation but that pre-recorded music would be allowed in compliance with the exterior noise standards of the City of Newport Beach Municipal Code. She then presented a revised draft resolution including three additional conditions of approval relative to sound attenuation, which the applicant had reviewed and agreed to. She clarified that the applicant had requested a closing hour of 10:00 p.m., which consistently reflects the final resolution. Ms. Nova believed that the required findings could be made and recommended approval based on the facts within the revised draft resolution.

The Zoning Administrator opened the public hearing. Seeing that no one from the public wished to comment the public hearing was closed.

Zoning Administrator Wisneski approved the application with the revised draft resolution, changing the resolution to reflect a 10:00 p.m. closing hour throughout the document.

Action: Approved

D. PUBLIC COMMENTS ON NON-AGENDA ITEMS

None.

ADJOURNMENT

The hearing was adjourned at 3:40 p.m.

The agenda for the Regular Hearing was posted on November 9, 2012, at 1:30 p.m. on the City Hall Bulletin Board located outside of the City of Newport Beach Administration Building and on the City's website on November 9, 2012, at 1:45 p.m.

Brenda Wisneski, AICP, Zoning Administrator